

Appl. No. 10/696,337
Amdt. dated May 6, 2005
Reply to Office action of Feb. 8, 2005

Amendments to the Claims:

This listing will replace all prior versions and listings of claims in the application:

Listing of Claims:

Claim 1 (currently amended): An improved base structure for modular above ground swimming pools comprising an arcuate bottom track member, said bottom track member having a bottom surface, a top surface, an inner wall portion, an outer wall portion and a pair of end portions, said inner wall portion having a groove formed therein, said groove having a groove top and a groove bottom, said groove bottom which is located in a plane which is substantially elevated from said bottom surface wherein said groove bottom is located at least two inches above the bottom surface, said groove adapted to receive a bottom end of a side wall panel of a swimming pool in a manner whereby said bottom end of said side wall panel will be substantially elevated above a supporting surface upon which said bottom surface of said track member is placed.

Claim 2 (currently amended): An improved base structure according to claim 1 wherein said groove top is provided at a location approximately halfway between said bottom surface and said top surface of said bottom track member.

Claim 3 (original): An improved base structure according to

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claim 1 wherein said bottom track member has a height of approximately 5 inches.

Claim 4 (original): An improved base structure according to claim 1 wherein said bottom of said groove is located approximately 2 inches from said bottom surface.

Claim 5 (cancelled).

Claim 6 (cancelled).

Claim 7 (original): An improved base structure according to claim 1 wherein said inner surface has a lower portion located below said groove and an upper portion located above said groove wherein said upper portion is generally vertical and said lower portion slopes outwardly at an angle of approximately 15 degrees.

Claim 8 (currently amended): An improved base structure for modular above ground swimming pools comprising:

- a) a plurality of spaced apart base members;
- b) a plurality of arcuate bottom track members, each bottom track member being connected between a pair of spaced apart base members to form a base perimeter of the pool, said bottom track rail members each having a bottom surface and having a groove formed therein, said groove having a groove top and a groove bottom which is located in a plane which is substantially elevated from a supporting surface upon which said bottom track members are supported wherein said groove has a depth which is not greater than 1/5 of a distance between said groove top and

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said bottom surface and wherein said groove bottom is located at least two inches above the bottom surface, each said groove adapted to receive and support a lower end portion of a side wall panel of the swimming pool.

Claim 9 (currently amended): An improved base structure according to claim 8 wherein said base members each having a bottom surface and also each having a base groove formed therein, said base groove having a bottom which is located in a plane which is substantially elevated from a supporting surface upon which said base members are supported wherein said base groove has a depth which is not greater than 1/5 of a distance between said groove top and said bottom surface and wherein said base groove bottom is located at least two inches above the bottom surface.

Claim 10 (original): An improved base structure according to claim 8 wherein said bottom of said groove is located approximately 2 inches from said bottom surface.

Claim 11 (cancelled).

Claim 12 (original): An improved base structure according to claim 8 wherein said base members support vertical columns of the swimming pool structure.

Claim 13 (original): An improved base structure according to claim 8 wherein said bottom track member and said base members removably interlock with one another.

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14. (Currently Amended): An improved base structure for modular above ground swimming pools of the type having a plurality of base members adapted to receive and support vertical support members, vertical support member positioned at opposite ends of side panels of the swimming pool and a plurality of bottom track rail members, each bottom track rail member being connected between a pair of spaced apart base members to form a base perimeter of the pool, the improvement comprising: said bottom track rail members each having a bottom surface and each having a groove formed therein, said groove having a groove top and a groove bottom which is located in a plane which is substantially elevated from a supporting surface upon which said base members and said bottom track rail members are supported wherein said groove has a depth which is not greater than 1/5 of a distance between said groove top and said bottom surface and wherein said groove bottom is located at least two inches above the bottom surface, each said groove adapted to receive and support a lower end portion of a side panel of the swimming pool at a location substantially elevated from said supporting surface whereby the pool has a depth greater than the height of said side panels.

Claim 15 (new): An improved base structure according to claim 1 wherein said groove has a depth which is not greater than 1/5 of a distance between said groove top and said bottom

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surface.